IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 331 OF 2003

Anil J. Sawant & Anr. ...Petitioners

Versus

Suresh Hanuman More & Anr ...Contemnors

And

The State of Maharashtra & Ors. ...Respondents.

.....

Mrs. A.V. Acharya h/f Ms. C.D. Rajani, counsel for Petitioners

Mr. V.B. Rajure counsel for Respondent No.1.

Mr. Vijay Patil counsel for Respondent No.2.

.....

CORAM: B. H. MARLAPALLE, J.

DATED: 15TH FEBRUARY, 2005

P. C.:-

1. Heard Mr. Acharya, the learned counsel for the petitioner and Mr. Vijay Patil, the learned counsel for the respondent No.2.

2. It is alleged in the contempt petition that the Revision which was filed before the State Government and the order passed therein which was challenged in writ petition (Stamp) No. 29667 of 2003 before this Court, came to be decided by the State Government and subsequently it was rejected. It is alleged that

ad-interim order passed by this Court while issuing notice on 19.8.2003 and more particularly the order of status-quo has been violated by the present respondent No.1. However, the learned counsel for the respondent No.2 points out that the respondent No.1 had already taken over the charge of Administrator before 19.8.2003 and therefore, the order of status-quo would mean that he was continued to discharge his duty as an Administrator. In such circumstances, the contempt petition was misconstrued and there was no cause of action.

3. There is substance in these submissions and in any case the main Revision pending before the State Government has been rejected, the order passed therein was subject matter of challenge before this Court in a writ petition, which also has been dismissed.

4. The contempt petition, therefore, fails and the same is hereby rejected summarily.